

ORIGINAL

Matilda Sanders

From: Barclay, Lynn [Lynn.Barclay@BellSouth.com]
Sent: Tuesday, September 27, 2005 1:01 PM
To: Filings@psc.state.fl.us
Cc: Fatool, Vicki; Linda Hobbs; Nancy Sims; Holland, Robyn P; Bixler, Micheale; Slaughter, Brenda ; Mays, Meredith
Subject: 041269-TP BellSouth Bayó Letter re 1st interrogatories to Fonix Telecom
Attachments: 041269 1st rogs to Fonix.pdf

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- A. Lynn Barclay
 Legal Secretary to Meredith Mays
 BellSouth Telecommunications, Inc.
 150 South Monroe Street
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 (404) 335-0788
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- B. Docket No. 041269-TL: In re: Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting From Changes of Law
- C. BellSouth Telecommunications, Inc.
 on behalf of Meredith Mays
- D. 4 pages total
- E. BellSouth's Bayó letter regarding serving its First Set of Interrogatories to Fonix Telecom, Inc.(Nos. 1-3).
 <<041269 1st rogs to Fonix.pdf>>

Lynn Barclay
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DOCUMENT NUMBER-DATE
 09172 SEP 27 05

ORIGINAL

Legal Department

Meredith Mays
Senior Regulatory Counsel

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September 27, 2005

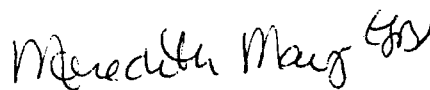
Fonix Telecom
Michael Britt
President and COO
2 Ravinia Drive, Suite 1300
Atlanta, GA 30346

Re: Docket No. 041269-TP

Dear Mr. Britt:

Enclosed is BellSouth Telecommunications, Inc.'s First Set of Interrogatories to Fonix Telecom, Inc. (Nos. 1-3), in the above referenced matter.

Sincerely,



Meredith Mays

603318

DOCUMENT NUMBER-DATE

09172 SEP 27 05

FPSC-COMMISSIONER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)
) Docket No. 041269-TP
Petition to Establish Generic Docket to)
Consider Amendments to Interconnection)
Agreements Resulting From Changes of Law) Filed: September 27, 2005
_____)

BellSouth's First Set of Interrogatories to Fonix Telecom, Inc.

BellSouth Telecommunications, Inc. ("BellSouth") hereby serves its First Set of Interrogatories on Fonix Telecom, Inc. (hereinafter "Fonix"). These requests are to be answered under oath and within the timeframe required pursuant to governing rules and applicable orders in this docket.

Definitions and Instructions

The following definitions and instructions shall apply to these data requests:

1. If you deny any request for admission set forth herein or any sub-part thereof, set forth with specificity the basis for your denial or partial denial.
2. The terms "Fonix" and "you," "your," "yours," and "your company" shall all mean the entity served with these data requests and all affiliates and subsidiaries, including, but not limited to carriers that you have merged with or acquired that still do business under a different name.
3. The term "fiber-based collocation" shall have the meaning set forth in paragraph 102 of the FCC's *Triennial Review Remand Order* and applicable FCC rules. As set forth therein, the term refers to a collocation arrangement, with active power supply, served by a non-ILEC fiber-optic cable entering the central office. The collocation arrangement may be obtained either pursuant to contract, tariff or, where

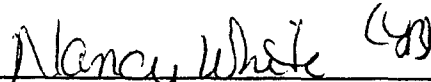
appropriate, section 251 of the 1996 Act. The term shall include fixed-wireless collocation arrangements at a wire center if the carrier's alternative transmission facilities both terminate in and leave the wire center.

INTERROGATORIES


1. Please identify any wire centers in the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee wherein Fonix is a fiber-based collocator.
2. Please identify any wire centers in the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee in which Fonix has an active collocation arrangement(s) and obtains fiber or fiber capacity from another entity that is not BellSouth, whether or not Fonix considers such arrangements to qualify as "fiber-based collocation" pursuant to the FCC's definition. Please describe with specificity the manner in which Fonix obtains fiber. If Fonix contends that it is not a fiber based collocator in any such wire center, please explain with specificity the basis for this contention.
3. Please identify any wire centers in the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee in which Fonix has an active collocation arrangement(s) and obtains access to transport facilities from another entity that is not BellSouth, whether or not Fonix considers such facilities to qualify as "comparable transmission facilities" pursuant to the FCC's definition. Please describe with specificity the manner in which Fonix obtains such

facilities or transport and the quantity and bandwidth/capacity of such facilities, both activated and not currently activated. If Fonix contends that it is not a fiber based collocator in any such wire center, please explain with specificity the basis for this contention.

Respectfully submitted this 27th day of September, 2005.



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